PATRICK CASEY.

RETURN to an Order of the Honourable The House of Commons, dated 12 May 1874;—*for*,

COPIES "of all AFFIDAVITS used on a Motion in the QUEEN'S BENCH in *Ireland*, made during last Term, for a Writ of Habeas Corpus, in the Case of *Patrick Casey*:"

"Of the Ruling of the Court upon such Motion:"

"Of the WARRANT of the Lord Lieutenant originally issued for his Arrest:"

"And, of all subsequent WARRANTS, if any, transferring or changing his Custody."

QUEEN'S BENCH, CROWN SIDE.

COPY MINUTE of Application for Habeas Corpus of the 29th April 1874.

In the Matter of *Patrick Casey*, a Prisoner in Kilmainham Gaol.

MR. J. N. GERRARD, as counsel for Martin Casey, the father of the prisoner moves upon the affidavit of the said Martin Casey, and upon the affidavits of Henry Mathews (2), that a habeas corpus do issue to bring up the prisoner, with a view to ascertaining the cause of his commitment. Whereupon, Mr. Justice Barry suggesting that his commitment was by the warrant of the Lord Lieutenant, under the recent Act of Parliament, which suspends the action of this court,

Refers counsel to the full court.

J. F. Goodman, Attorney.

N.B.—Application not repeated.

COPY AFFIDAVITS in MINUTE referred to.

COPY AFFIDAVIT of *Martin Casey*, Filed in Crown Office, Queen's Bench, the 24th April 1874.

COURT of QUEEN'S BENCH.—CROWN SIDE.

I, MARTIN CASEY, of Carrickspringan, near Moynalty, Kells, in the county of Meath, make oath and say—

No. 1.—My son, Patrick Casey, was arrested at Carrickspringan aforesaid by the constabulary on the 13th day of December 1871, and was forthwith lodged in Naas Gaol, where he remained in custody until the latter end of the month of October last, when he was removed to Kilmainham Gaol, where he still remains in custody.

No. 2.—I say that, until my said son was so arrested, he was a young man of unblemished character, and never was charged with any crime or offence.

No. 3.—When my son was so arrested, he was a strong, hale young man; but he is now suffering from severe illness, caused, as I believe, by the length of time he has been in imprisonment, and I fear that if he is not soon liberated, his health will be so impaired, that he will never recover.

No. 4.—I am now upwards of 70 years of age, and am suffering from paralysis. My said son afforded me my chief means of support, by cultivating the small holding I have in the county of Meath, and I am now obliged to employ a man in his stead, which has left me almost in a state of destitution.

No. 5.—I am wholly ignorant of the reason why my said son was arrested, or why he is detained in custody; and I verily believe that if brought to trial, he would be able to refute any charge which could be preferred against him.

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No. 6.—My daughter and my eldest son visited my said son on several occasions, but were never allowed to speak to him in private, and any conversation they had with him was always in the presence of two warders, and they were never allowed to speak to my said son as to the state of his health, or the cause of his arrest, and I believe my said son is also entirely ignorant of the cause of his arrest or detention.

Martin Casey.

Sworn before me at my office, Solicitors' Buildings, Four Courts, Inn's Quay, in the County of the City of Dublin, this 14th day of November 1873 (three), and I know Henry Mathews, who certifies to me his knowledge of the Deponent.

John H. Goddard,
A Dublin Commissioner to Administer Oaths in Common Law.

I know Deponent,
Henry Mathews.

Reede & Goodman,
Attornies for M. Casey,
60, Lower Gardiner-street, Dublin.

AFFIDAVIT of *Henry Mathews*, Filed 24 April 1874.

COURT of QUEEN'S BENCH.—CROWN SIDE.

I, HENRY MATHEWS, of No. 60, Lower Gardiner-street, in the County of the City of Dublin, assistant to John Fox Goodman, solicitor and attorney, make oath, and say—

No. 1.—On the 20th day of April instant, I applied at the public office of the Pleas of the Crown, in the City of Dublin, whether a copy of any warrant for the arrest of Patrick Casey, of Moynalty, in the County of Meath, was filed in said office, and I was informed by James Nagle, Esq., the Clerk of the Crown, that no such document had ever reached there, and that none such was filed there.

No. 2.—I also inquired at said office whether a copy of any warrant for the removal of Patrick Casey from Naas to Kilmainham Gaol was filed in said office, and I was also informed there was none such.

Henry Mathews.

Sworn before me, this 23rd day of April 1874, at No. 60, Lower Gardiner-street, in the County of the City of Dublin, and I know the Deponent.

George Arbuckle,
A Dublin Commissioner to Administer Oaths in Common Law.

John Fox Goodman,
Attorney for M. Casey,
60, Lower Gardiner-street, Dublin.

AFFIDAVIT of *Henry Mathews*, Filed 29 April 1874.

COURT of QUEEN'S BENCH.—CROWN SIDE.

I, HENRY MATHEWS, of No. 60, Lower Gardiner-street, in the County of the City of Dublin, assistant to John Fox Goodman, solicitor and attorney, make oath, and say—

That on Wednesday, the 22nd day of April instant, I applied at the office of the Governor of Kilmainham Gaol, in the County of Dublin, for a copy of a warrant of commitment of Patrick Casey, of Carrickspringan, near Moynalty, in the County of Meath, and I was informed by a gentleman, who stated that he was the Deputy Governor of said gaol, and that he had no authority to give me a copy of said warrant, and that he could not do so, but he volunteered to show me said warrant, and further stated that the Chief Secretary's Office,

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Office, Dublin Castle, was the proper place to make such inquiries respecting a copy of said warrant.

Henry Mathews.

Sworn before me, this 28th day of April 1874, at my office, 2, Beresford-place, in the County of the City of Dublin, and I know the Deponent.

Shapland Morris Tandy,
A Dublin Commissioner to Administer Oaths in Commmon Law.

John Fox Goodman,
Attorney for Patrick Casey,
60, Lower Gardiner-street, Dublin.

James Nagle,
Clerk of the Crown.

The Crown Office, Queen's Bench, Dublin,
16 May 1874.

By the Lord Lieutenant General, and General Governor of Ireland.

WARRANT TO ARREST.

WHEREAS Part I., of the Protection of Life and Property in certain parts of Ireland Act, 1871, is now in force in relation to the baronies of Lower Kells and Upper Kells, in the county of Meath, and in relation to the parish of Martry, and the townlands of Athgaine, Great, and Beytaghstown, in the parish of Balrathboyne, in the barony of Lower Navan, in the said county of Meath.

And, whereas, Patrick Casey, who resides or sojourns at Carrickspringan, in the said barony of Lower Kells, in the county of Meath aforesaid, is deemed by the Lord Lieutenant to be reasonably suspected of being a member of the Ribbon Society.

This is under the authority of the said Part I. of the said Act, to command that the said Patrick Casey, in any part of Ireland, be arrested and lodged in the county of Kildare Gaol at Naas, in said county of Kildare, there to be detained during the continuance of Part I. of said Act, unless sooner discharged after trial, or by order of the Lord Lieutenant or Privy Council.

Given at Dublin Castle, this 8th day of December 1871.

To John M'Cormick, Esq., (signed) *Spencer.*
Sub-Inspector of the Royal Irish Constabulary, and,
The Governor of Naas Gaol, County Kildare.

I certify this to be a true copy of the order under which I received and detained Patrick Casey in my custody.

Naas Gaol, 22 May 1874. (signed) *E. J. Gildea,* Governor.

PROTECTION OF LIFE AND PROPERTY IN CERTAIN PARTS OF IRELAND ACT, 1871.

By the Lords Justices General and General Governors of Ireland.

WHEREAS by virtue of a warrant under the authority of Part I. of "The Protection of Life and Property in certain Parts of Ireland Act, 1871," dated the 8th day of December 1871, and signed by John Poyntz, Earl Spencer, then and still being Lord Lieutenant General and General Governor of Ireland, Patrick Casey is now detained for safe custody in the gaol of the county of Kildare, at Naas in said county, by Edward Johnston Gildea, the Governor of said gaol. And whereas it is expedient to change the place in which and the person by whom the said Patrick Casey shall be so detained; this is under the authority of the said Part I. of the said Act, as continued by "The Peace Preservation (Ireland) Acts Continuance Act, 1873," to direct and command that the person by whom the said Patrick Casey shall be detained for safe custody shall be changed from the said Edward Johnston Gildea to Henry Price, the Governor of the Kilmainham Gaol, in the county of Dublin, and that the place in which the said Patrick Casey shall be so detained shall be changed from the said gaol of the county of Kildare to the said Kilmainham Gaol, and to direct and command you, the said Edward Johnston Gildea, to deliver the said Patrick Casey to the Sub-inspector of the Royal Irish Constabulary, at Naas in the said county of Kildare, and his assistants; and you, the said Sub-inspector of the Royal Irish Constabulary, at Naas, and your assistants, to receive the said Patrick Casey, and him safely to convey from the said Naas Gaol to the said Kilmainham Gaol, and there to deliver the said Patrick Casey to the said Henry Price, the

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the Governor of the said Kilmainham Gaol, together with this warrant; and you, the said Henry Price, to receive the said Patrick Casey into the said Kilmainham Gaol, and him there to detain in safe custody during the continuance of Part I. of "The Protection of Life and Property in certain Parts of Ireland Act, 1871," unless sooner discharged after trial, or by order of the Lord Lieutenant or Privy Council.

Given at Dublin Castle, this 23rd day of October 1873,

(signed) *Monck.*

To Edward Johnston Gildea, Esq., Governor of Naas Gaol, County Kildare.
The Sub-inspector of the Royal Irish Constabulary, at Naas aforesaid, and his Assistants; and Henry Price, Esq., Governor of Kilmainham Gaol, County Dublin.

PATRICK CASEY.

COPIES of all AFFIDAVITS used on a Motion in the QUEEN'S BENCH in *Ireland*, made during last Term, for a Writ of Habeas Corpus in the Case of *Patrick Casey*; of the Ruling of the Court upon such Motion; of the WARRANT of the Lord Lieutenant originally issued for his Arrest; and, of all subsequent WARRANTS transferring or changing his Custody.

(*Mr. Butt.*)

Ordered, by The House of Commons, *to be Printed,*
10 *June* 1874.

210. *Under* 1 *oz.*

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